

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
GALVESTON DIVISION

United States Courts
Southern District of Texas
FILED

AUG 05 2022

PRINCE MCCOY SR.
PLAINTIFF,

Nathan Ochsner, Clerk of Court

V. CIVIL ACTION
No.3:17-CV-235

MR. ALAMU,
DEFENDANT

PLAINTIFF PRINCE MCCOY'S MOTION TO COMPEL DISCLOSURES

Plaintiff Prince McCoy asks the Court to compel defendant Alamu to make disclosures required by Federal Rule of Civil Procedure 26(a).

INTRODUCTION

1. Plaintiff is Prince McCoy; Defendant is Mr. Alamu.
2. Plaintiff sued the defendant for unnecessary/excessive use of force.
3. Defendant Alamu has not made the disclosures of production of tangible things required by Rule 26(a) and should be compelled to do so.
4. Plaintiff Prince McCoy attempted to confer with defendant Alamu in a good faith effort to resolve the dispute without further Court action, as required by Federal Rule of Civil Procedure 37(a)(1), but was unable to resolve the dispute.

ARGUMENT

Rule 26(a) requires each party to disclose certain information without request. A court can compel disclosures. Fed. R. Civ. P. 37(a)(3)(A).

This Court should grant plaintiff Prince McCoy's Motion to Compel defendant Alamu to make disclosures because defendant Alamu has not made the required pretrial disclosures. The pretrial disclosures were due over 30 days ago. Under Rule 26(a)(3)(B). Plaintiff McCoy needs the requested documents and tangible things to prove his burden of proof and prove that Alamu's actions were done maliciously and sadistically with the intent to cause harm to McCoy in violation of McCoy's Constitutional Rights.

Defendant Alamu's disclosures are incomplete. Fed. R. Civ. P. 37(a)(4). Defendant Alamu did not provide a copy of a 20' by 15' photo of the Darrington Unit's D-line cell block one row taken from the front to back angle, a 20' by 15' photo of Darrington Unit's D-line one row taken from 21 cell to 24 cell angle, a 20' by 15' photo of Darrington Unit's D-line one row 24 cell, a 20' by 15' photo of Darrington Unit's D-line one row 24 cell inside the cell view from the outside angle. The documents and tangible things requested are needed for McCoy to prove his burden of proof and that Alamu acted unconstitutional.

Plaintiff Prince McCoy asks the Court to order defendant Alamu to pay reasonable expenses, including attorney fees, for his failure to make disclosures. Fed. R. Civ. P. 37(a)(5)(A).

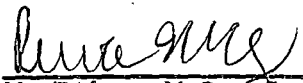
CONCLUSION

Because defendant Alamu has refused to comply with the rules and make disclosures, the defendant Alamu to respond fully and should award plaintiff Prince McCoy reasonable expenses, including attorney fees, and any other proper relief.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was filed to the following on July 29, 2022.

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